IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

APPEAL NO. 463 OF 2004
IN
NOTICE OF MOTION NO.878 OF 2002
IN
SUIT NO.651 OF 2002

Shri Girija Nandan Singh .. Appellant

v/s.

1. Shri Ashok Hotchand Advani
& ors. .. Respondents

Mr.T.M. Nadar for appellant.

Mr. Shyam Mehta i/by Mr. J.George for respondent Nos.1 and 2.

CORAM : R.M.LODHA AND
J.P.DEVADHAR, JJ.

DATED : 10th August, 2004

P.C.

After having heard the learned counsel for the appellant and the learned counsel for respondent Nos.1 and 2 and upon perusal of the impugned order, we are of the view that no interference is called for in the impugned order. Prima facie consideration of the matter by the learned motion Judge does not suffer from any infirmity. The learned motion Judge rightly relied upon the Division Bench judgment of this court in writ petition No.1390 of 2001 wherein it has been held in unmistakable terms that the subject flat has been rightly sold to the present respondent Nos.1 and 2 (respondent Nos.4 and 5 therein). The Division Bench also held that there was no flaw in

the sale effected in favour of the present respondent Nos.1 and 2 and that they got title of the said flat legally.

2. The appeal does not deserve to be admitted and is dismissed in limine.

(R.M.LODHA, J.)

(J.P. DEVADHAR, J.)